

## REMARKS

In the Office Action mailed July 15, 2004, the Examiner noted that claims 1-35 were pending, that claims 8-27 and 31-35 have been withdrawn from consideration, allowed claims 4 and 29, objected to claims 5-7 and rejected claims 1-3, 28 and 30. Claims 2, 3, 5, 6 and 30 have been amended, new claims 36-39 have been added and, thus, in view of the forgoing claims 1-7, 28, 29 and 36-39 remain pending for reconsideration, which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action the Examiner rejected claims 2, 3 and 30 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have has been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

In the Action the Examiner indicated that claims 2, 3 and 30 would be allowable when amended to overcome the above-discussed rejection. This has been done, as noted above, and it is submitted that claims 2, 3 and 30 are allowable.

In the Office Action the Examiner objected to claims 5 and 6 and indicated that these claims would be allowable if rewritten in independent form. These claims have been so rewritten and it is submitted that these claims are now allowable. Note claim 6/5 has been rewritten as claim 6 while claims 6/2, 6/3, 6/4 and 6/5/1 have been rewritten as new claims 36-39. Withdrawal of the objection is requested.

On page 2 of the Office Action the Examiner rejected claims 1 and 28 under 35 U.S.C. § 102 as anticipated by Sasanuma.

Sasanuma is directed to testing the scanning capability of a copier type machine. In Sasanuma, a stored test pattern is obtained from a test pattern memory of the copier. This test pattern is printed on a piece of paper by the print engine of the copier. A user obtains the paper from the output paper tray and places the paper, with the test pattern thereon, on the scanner glass of the copier. The user is allowed a predetermined period of time to obtain the piece of paper from the tray and position it on the scanner. After the predetermined period expires, the scanner is activated, the test pattern on the piece of paper is scanned and the scanned test pattern is compared to the stored test pattern. That is, Sasanuma is directed to testing a scanner with a test pattern.

In contrast, the present invention is directed to very different subject matter. The present invention is directed to testing a display. In particular claims 1 and 28 emphasize "displaying a specific color patch on a display" and "measuring a color of the color patch displayed on the display". Sasanuma does not teach or suggest such.

It is submitted that the present claimed invention patentably distinguishes over Sasanuma and withdrawal of the rejection is requested.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is also submitted that claims 2, 3, 5, 6 and 30, as well as new claims 36-39 made independent based on claim 6 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

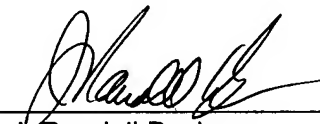
Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

11/10/14

By: \_\_\_\_\_



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